

PTO/SB/97 (08-00)

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Serial No.: 09/840,318 ~~488~~

File Date: April 23, 2001

Docket No.: ACY33350-03

Attorney: B. V. Maurer

Applicant: Klaus-Juergen Pees et al

Title: Fungicidal Trifluoromethylalkylamino-Triazolopyrimidines

The U.S. Patent Office acknowledges receipt of the documents below for the above-identified patent application:

1. Petition to Revive (Unintentional)
2. Response to Notice of Missing Parts
3. Fee Transmittal  
(Total: 13 pages including cover sheet.)

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$1410.00)

Attorney Docket No. ACY3350-03P

Complete if Known

|                      |                    |              |
|----------------------|--------------------|--------------|
| Application Number   | 09/840,048 488     | FAX RECEIVED |
| Filing Date          | April 23, 2001     |              |
| First Named Inventor | Klaus-Juergen Pees |              |
| Examiner Name        |                    |              |
| Group Art Unit       |                    |              |

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**METHOD OF PAYMENT**

1. x The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-1197  
Deposit Account Name

x Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Entity Fee Code (\$) | Entity Fee (\$) | Fee Description           | Fee Paid    |
|----------------------------|----------------------|-----------------|---------------------------|-------------|
| 101                        | 710                  | 201             | 355 Utility filing fee    |             |
| 106                        | 320                  | 206             | 160 Design filing fee     |             |
| 107                        | 490                  | 207             | 245 Plant filing fee      |             |
| 108                        | 710                  | 208             | 355 Reissue filing fee    |             |
| 114                        | 150                  | 214             | 75 Provisional filing fee |             |
| <b>SUBTOTAL (1)</b>        |                      |                 |                           | <b>(\$)</b> |

**2. EXTRA CLAIM FEES**

| Extra Claim | Fee from below | Fee Paid |
|-------------|----------------|----------|
| 5           |                |          |
| -20**=      |                |          |
| -3**=       |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description   |
|----------------------------|----------------------------|-----------------|---|
| 103                        | 18                         | 203             | 9 Claims in excess of 20                                  |
| 102                        | 80                         | 202             | 40 Independent claims in excess of 3                      |
| 104                        | 270                        | 204             | 135 Multiple dependent claims, if not paid                |
| 109                        | 80                         | 209             | 40 **Reissue independent claims over original patent      |
| 110                        | 18                         | 210             | 9 **Reissue claims in excess of 20 & over original patent |
| <b>SUBTOTAL (2)</b>        |                            |                 | <b>(\$)</b>   |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Fee Code                          | Large Entity Fee (\$) | Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid    |
|-----------------------------------|-----------------------|----------|-----------------------|--|-------------|
| 105                               | 130                   | 205      | 65                    | Surcharge - late filing fee or oath  | 130.00      |
| 127                               | 50                    | 227      | 25                    | Surcharge-late provisional filing fee or cover sheet                       |             |
| 139                               | 130                   | 139      | 130                   | Non-English Specification  |             |
| 147                               | 2,520                 | 147      | 2,520                 | For filing a request for ex parte reexamination                            |             |
| 112                               | 920*                  | 112      | 920*                  | Requesting publication of SIR prior to Examiner Action                     |             |
| 113                               | 1,840*                | 113      | 1,840*                | Requesting publication of SIR after Examiner Action                        |             |
| 115                               | 110                   | 215      | 55                    | Extension for reply within first month                                     |             |
| 116                               | 390                   | 216      | 195                   | Extension for reply within second month                                    |             |
| 117                               | 890                   | 217      | 445                   | Extension for reply within third month                                     |             |
| 118                               | 1,390                 | 218      | 695                   | Extension for reply within fourth month                                    |             |
| 128                               | 1,890                 | 228      | 945                   | Extension for reply within fifth month                                     |             |
| 119                               | 310                   | 219      | 155                   | Notice of Appeal   |             |
| 120                               | 310                   | 220      | 155                   | Filing a brief in support of an appeal                                     |             |
| 121                               | 270                   | 221      | 135                   | Request for oral hearing   |             |
| 138                               | 1,510                 | 138      | 1,510                 | Petition to institute a public use proceeding                              |             |
| 140                               | 110                   | 240      | 55                    | Petition to revive- unavoidable  |             |
| 141                               | 1,240                 | 241      | 620                   | Petition to revive- unintentional  | 1280.00     |
| 142                               | 1,240                 | 242      | 620                   | Utility issue fee (or reissue)   |             |
| 143                               | 440                   | 243      | 220                   | Design issue fee   |             |
| 144                               | 600                   | 244      | 300                   | Plant issue fee  |             |
| 122                               | 130                   | 122      | 130                   | Petitions to the Commissioner  |             |
| 123                               | 50                    | 123      | 50                    | Processing fee under 37 CFR 1.7(q)   |             |
| 126                               | 180                   | 126      | 180                   | Submission of Information Disclosure Stmt                                  |             |
| 581                               | 40                    | 581      | 40                    | Recording each patent assignment per property (times number of properties) |             |
| 146                               | 710                   | 246      | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |             |
| 149                               | 710                   | 249      | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))           |             |
| 179                               | 710                   | 279      | 355                   | Request for Continued Examination (RCE)                                    |             |
| 169                               | 900                   | 169      | 900                   | Request for expedited examination of a design application                  |             |
| Other fee (specify):              |                       |          |                       |  |             |
| *Reduced by Basic Filing Fee Paid |                       |          |                       | <b>SUBTOTAL (3)</b>  | <b>(\$)</b> |

**SUBMITTED BY**

Complete (if applicable)

|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Barbara V. Maurer   | Registration No. (Attorney/Agent) | 31,278 | Telephone | 609-716-2317   |
| Signature         |  |                                   |        | Date      | March 28, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Docket No: 33350-03  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Klaus-Juergen Pees, et al.**  
Serial No.: **09/840,048-48** Examiner: **To Be Assigned**  
Filed: **April 23, 2001** Art Unit:  
For: **Fungicidal Trifluoromethylalkylamino-Triazolopyrimidines.**

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Assistant Commissioner for Patents  
Washington, DC 20231

**MAR 28 2002**

Sir:

**PETITIONS OFFICE**

Response to Notice to File Missing Parts Under 37 CFR 1.53(b)

This is in response to the Notice to File Missing Parts under 37 CFR 1.53(b) mailed June 8, 2001, in this application.

This application was filed as a divisional application of prior application 09/272,916 filed on March 19, 1999. The prior applications is assigned on its face to American Cyanamid Company. American Cyanamid Company assigned this application to BASF AG by an assignment recorded November 16, 2001, at Reel 012276/Frame 0001.

Enclosed is a copy of the signed declaration from the prior application.

Also enclosed is a copy of the Notice of Missing Parts.

Respectfully submitted,

Barbara V. Maurer  
Reg. No. 31,278  
Attorney for Applicants  
(609) 716 - 2317

BASF Corporation  
P.O. Box 400  
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/840,488         | 04/23/2001          | Klaus-Juergen Pees    | 33350-03               |

**CONFIRMATION NO. 5506**

**FORMALITIES LETTER**



"0C00000006165074"

BASF Corporation  
Patent Law Department  
P.O. Box 400  
Princeton, NJ 08543-0400

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**MAR 20 2002**

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Date Mailed: 06/08/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*JH*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**